BUDGET 2008

Ministry of Aboriginal Relations and Reconciliation

2008/09–2010/11 Service Plan

February 2008

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Message from the Minister and Accountability Statement

I am pleased to deliver the Service Plan for the Ministry of Aboriginal Relations and Reconciliation. This plan gives me the opportunity to describe the practical and measurable actions the Ministry will undertake over the next three fiscal years to further the New Relationship with First Nations and Métis. This relationship will continue as it began — based on principles of mutual respect, recognition and reconciliation.

The Ministry will continue to advise and support government agencies and organizations on initiatives to help close the social and economic gaps between Aboriginal citizens and other British Columbians by 2015. These initiatives include: land and resource developments for First Nations, programs for Aboriginal and Métis people in urban centres, promotion of Aboriginal sport and healthy lifestyle choices, support for the 2008 North American Indigenous Games, and Aboriginal participation in achieving our goal to be the healthiest jurisdiction ever to host the Olympic and Paralympic Winter Games.

Encouraged by successful ratification of Final Agreements by six First Nations and by the introduction of treaty settlement legislation, we remain committed to treaty negotiations as a full and formal expression of reconciliation. Treaties and other agreements stimulate investment, create jobs and expand economies in communities throughout British Columbia. In conjunction with other branches of government, the Ministry will support agreements that bring real benefits to Aboriginal families and communities, and achieve greater stability over Crown lands and resources.

The Ministry of Aboriginal Relations and Reconciliation 2008/09 – 2010/11 Service Plan was prepared under my direction in accordance with the *Budget Transparency and Accountability Act*. I am accountable for the basis on which the plan has been prepared. All material fiscal assumptions and policy decisions as of February 15, 2008 have been considered in preparing this plan, and I am accountable for achieving its specific objectives.

Honourable Michael de Jong
Minister of Aboriginal Relations and Reconciliation

February 15, 2008

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Purpose of the Ministry

The Ministry of Aboriginal Relations and Reconciliation is the centre of excellence for innovative approaches to Aboriginal policy and the Province's representative for all treaty negotiations. Accordingly, the Ministry plays a vital role in leading the way forward in the New Relationship. The Ministry provides strategic advice across government and identifies opportunities to facilitate the removal of barriers to stimulate positive outcomes for Aboriginal peoples.

The New Relationship is a government priority and requires each ministry and Crown agency to include an Aboriginal component in reaching the Five Great Goals. As the government's lead on the New Relationship, the Ministry is focusing its efforts in three key strategic areas:

- closing the socio-economic gaps between Aboriginal people and other British Columbians;
- building respectful relationships with Aboriginal people; and
- reconciliation of Aboriginal rights and title through treaties and other lasting agreements.

> *"The province will fail to reach the Five Great Goals unless First Nations people achieve them."*
> — Premier Gordon Campbell

The Ministry supports achievement of these goals by recommending innovative policies and initiatives to government. The Ministry promotes creative and integrated cross government work that brings together partners from other ministries and Crown agencies, federal and local government and other sectors around Aboriginal initiatives. The Ministry does not direct the activities of other ministries or Crown agencies but instead builds and maintains relationships to achieve success on issues of shared interest.

The Ministry has collaboratively achieved a number of accomplishments toward closing the socio-economic gap and building respectful relationships with Aboriginal partners. Negotiations are ongoing throughout the province to conclude treaties and other lasting agreements.

Working with its partners the Ministry makes appointments to the BC Treaty Commission, First Peoples' Advisory Committee, First Peoples' Heritage, Language and Culture Council, Native Economic Development Advisory Board and New Relationship Trust Board.

A list of statutes that fall under the responsibility of the Ministry can be found at: www.leg.bc.ca/procs/allacts/arr.htm.

Strategic Context

The Ministry of Aboriginal Relations and Reconciliation operates in a complex environment. British Columbia is home to over one-third of the country's 600+ First Nations comprising the most culturally and linguistically diverse groups of Aboriginal people in all of Canada. This diversity means there is no "one solution" to achieve reconciliation. Instead, the Ministry must strive to address the unique situations of disparate First Nations and Aboriginal people. There are over 180,000 people in British Columbia who identify themselves as First Nation, Métis or Inuit. Most significantly, the fastest growing demographic province-wide is Aboriginal youth. With the socio-economic disparities that exist between Aboriginal peoples and other British Columbians it is essential that steps are taken to provide Aboriginal youth with the opportunities to succeed both within their communities and throughout the Province. Historically, Aboriginal people have not had access to services at the same level as other British Columbians. Fundamental services such as basic community infrastructure, including housing and water facilities and appropriate education curriculum have, until recently, been inadequate. Poverty, prevalence of illness and chronic disease, inadequate housing, unemployment and low high-school completion rates are measures of our collective failure.

Despite these challenges in 2007/08 British Columbia made significant progress towards a New Relationship with Aboriginal people. Focus on reconciling Aboriginal and treaty rights through negotiations represents an important step forward from a history of confrontation, litigation and failure to reconcile differences with Aboriginal people. Historic agreements committing government resources to education, health and housing initiatives demonstrate achievements under the *Transformative Change Accord*. The government has vowed to address the inequities that have plagued Aboriginal people throughout British Columbia's history. Reconciliation is at the heart of this initiative. Positive and enduring relationships must be built on trust, mutual respect and recognition of the constitutional rights of Aboriginal people.

Closing the socio-economic gap

The *Transformative Change Accord* signed by Canada, the Province and the First Nation Leadership Council signals a tripartite commitment to work together to close the socio-economic gap between First Nations and other British Columbians. This accord outlines specifically how this will be achieved in British Columbia by setting priorities and outlining key actions in the following areas: improved Crown-First Nation relationships; education and life-long learning; housing and infrastructure; health; and economic opportunities. Likewise, the *Métis Nation Relationship Accord* between the Province and the Métis Nation British Columbia acknowledges the influence on the province's history of Métis people as a distinct people with their own language, culture and traditions.

Other efforts to bridge the gap in social and economic outcomes include: assisting Aboriginal people to improve housing through the development of a 10-year off-reserve Aboriginal Housing Strategy, spanning the continuum from homelessness to home ownership; supporting the advancement of First Nations in the development of their community health plans; reducing financial barriers for Aboriginal post-secondary learners by implementing the Aboriginal Post-Secondary Education Strategy, including a $10 million endowed scholarship fund; assisting Aboriginal entrepreneurs through the First Citizens Fund and promoting targeted employment training by implementing an Aboriginal Apprenticeship Strategy; and supporting recognition of and celebrating Aboriginal languages and culture.

Building a New Relationship

The Ministry's active partnership with the First Nations Leadership Council has facilitated priority-setting on a wide range of issues including the development of frameworks and tools to assist in the implementation of the New Relationship. This partnership has enabled renewed focus on issues such as consultation and accommodation, revenue and benefit sharing, and shared decision-making. The Ministry continues to build strong relationships with First Nations, Aboriginal organizations and Métis Nation British Columbia. The appointment of Honourable Judge Steven Point, of the Skowkale First Nation, is a symbolic and meaningful commitment by governments in Canada to build better relationships with First Nations. As the former Chief Commissioner of the British Columbia Treaty Commission, Steven Point has been an active supporter of the treaty process and a strong advocate for First Nations, while understanding the obstacles and the opportunities in the path ahead.

Concluding treaties and lasting agreements

British Columbia remains committed to the negotiation of treaties as a full and formal expression of reconciliation. Treaties clarify and specify how Aboriginal rights will be expressed in the context of modern Canadian society. They set out who has treaty rights, what those rights mean and what obligations fall on governments in implementing treaties. Treaties also give First Nations better tools to develop their governance, lands and resources. This year, the Ministry celebrates the conclusion of treaties with the Tsawwassen and Maa-nulth First Nations and looks forward to concluding additional treaties over the next three years.

> *"The treaty process is bigger than any one First Nation. It took us a long time to get a seat at the table and this is still our best opportunity to resolve the issues that have pitted First Nations against the other governments."*
>
> — (Former) Chief Commissioner Steven Point
> BC Treaty Commission

Other lasting agreements — such as those with the Musqueam First Nation, the Blueberry River First Nations and the Songhees and Esquimalt First Nations — represent an investment in the future of all British Columbians. Benefit revenue sharing agreements create economic opportunities that will result in social benefits over time as communities prosper. Moreover, these agreements create a more stable, and consequently, a more favourable environment for industry and business.

Goals, Objectives, Strategies and Performance Measures

The Ministry of Aboriginal Relations and Reconciliation's goals, objectives, strategies and performance measures serve as the framework that defines what the Ministry intends to achieve during the life of its service plan, and the means for gauging and reporting on performance with respect to its stated goals and objectives. The performance measures play an important role in driving accountability and transparency by communicating the Ministry's priorities and accomplishments to the public, legislators and stakeholders.

Targets for the Ministry's performance measures are generated by considering historical trends associated with the measures and determining reasonable performance expectations during the period covered by this service plan.

The baselines for key performance indicators are predicated on available data from a variety of sources. The availability of complete data sets varies from key indicator to key indicator; therefore, the most recent year available for each indicator constitutes the baseline and has been identified by footnote.

The goals of the Ministry will be met by focusing the majority of its efforts in three areas:

- closing socio-economic gaps between Aboriginal people and other British Columbians;
- building respectful relationships with Aboriginal people; and
- concluding treaties and other lasting agreements.

In addition to these goals, the Ministry is also actively engaged in meeting government's goal of reducing greenhouse gas (GHG) emissions to be part of a carbon neutral public sector by 2010. The Ministry has begun immediate steps to reduce its corporate carbon footprint through reductions in travel, more efficient energy use in its office space, enhanced recycling and composting, and other operational and procedural changes that will generate climate change benefits. In addition, the Ministry has committed to measuring and reducing GHG emissions associated with all Ministry operations and programs in order to achieve government targets and to working with First Nations and other ministries to advance government's green agenda.

Goal 1: Improved social and economic outcomes for Aboriginal people

The *Transformative Change Accord* and *Métis Nation Relationship Accord* set out the goals for closing the significant differences that exist between Aboriginal people and British Columbians on important social and economic indicators. These gaps developed over decades and will not be closed immediately. As a result, key performance indicators may see modest substantive reportable progress on an annual basis over the next three years; nonetheless the target is to close the gap by 2015.

Objective 1.1: Monitor and report progress on key performance indicators associated with closing the socio-economic gap

While other ministries and Crown agencies are directly responsible for action on key performance indicators, the Ministry plays a central role supporting implementation plans and providing critical information about progress on closing the gaps not only to the parties involved but also to the public.

Strategies

- Monitor and report on activities and progress towards meeting the goals of the *Transformative Change Accord* and *Métis Nation Relationship Accord.*
- Promote discussions on and evaluation of key performance indicators such as: high school completion rates by Aboriginal students; off-reserve Aboriginal household in core housing needs; life expectancy at birth; and unemployment rates.
- Support work by other ministries on closing the socio-economic gap such as: child and family service arrangements by MCFS; and policing, administration of justice, corrections and safety initiatives by PSSG.
- Facilitate and support collaboration on socio-economic gap initiatives among Aboriginal and First Nation organizations, all levels of government and the private sector.

Measure	Baseline	2008/09 Target	2009/10 Target	2010/11 Target
Monitor and report progress on closing the social and economic gaps.	First NR/TCA Progress report published (Winter/07)	Annual Progress Report	Annual Progress Report	Annual Progress Report

Data Source: Ministry of Aboriginal Relations and Reconciliation will gather performance indicator data from a variety of sources in its annual progress report (NR/TCA refers to the New Relationship and *Transformative Change Accord*).

Objective 1.2: Development of culturally appropriate policies, programs and services

Participation by our Aboriginal partners in the development and implementation of culturally appropriate policies, programs and services facilitates outcomes that help close socio-economic gaps. The Ministry does not necessarily deliver programs or services but works with other ministries, Crown agencies and the federal government to support the development of policies, programs and services in collaboration with Aboriginal people and organizations.

Strategies

- Lead and/or support the negotiation and implementation of agreements that contribute to addressing socio-economic disparities.
- Support development of policies and initiatives in partnership with Aboriginal people.
- Support delivery of programs and services in partnership with Aboriginal people.

Measure	2006/07 Baseline	2008/09 Target	2009/10 Target	2010/11 Target
Number of new provincial policies and initiatives that have been developed collaboratively with Aboriginal people and First Nations.	5	15	20	25

Data Source: Ministry of Aboriginal Relations and Reconciliation and ministries participating in the implementation of *Transformative Change Accord* and the *Métis Nation Relationship Accord*.

Goal 2: Respectful and constructive relationships with Aboriginal people

In order for the New Relationship to be successful, relationships must be based on principles of mutual respect, recognition and reconciliation of Aboriginal and treaty rights.

Objective 2.1: Aboriginal people possess the capacity necessary to enable meaningful engagement with government

Aboriginal people require tools and appropriate resources to participate in engagements such as negotiations, consultation frameworks and program and service delivery.

Strategies:

- Support and co-ordinate action by ministries and Crown agencies towards a New Relationship.
- Support capacity development and governance enhancement for Aboriginal governments and organizations.
- Support First Nations language, culture and heritage initiatives.
- Support Aboriginal community and economic development.
- Co-ordinate and streamline consultation processes.

Measure	Baseline	2008/09 Target	2009/10 Target	2010/11 Target
Improvements in Aboriginal organizations' and First Nations' capacity to participate in government engagements.	Under development	+5%	+7%	+10%

Data Source: Ministry of Aboriginal Relations and Reconciliation based on questionnaire to Aboriginal organizations and First Nations.

Objective 2.2: Increase awareness of Aboriginal values and diversity among British Columbians

An essential part of forging respectful relationships with Aboriginal people includes an increased awareness by British Columbians of Aboriginal people's history, culture and heritage.

Strategies:

- Build and facilitate partnerships with Aboriginal people.
- Support recognition of Aboriginal language, culture and heritage.
- Lead and support Aboriginal awareness initiatives within the public sector and British Columbia.

Measure	Baseline	2008/09 Target	2009/10 Target	2010/11 Target
Percentage of people expressing positive awareness of diversity and value of Aboriginal cultures.	Under development	+1.5%	+2%	+3%

Data Source: Survey conducted by BC Stats with participation by the Ministry of Aboriginal Relations and Reconciliation.

Goal 3: Reconciliation of Aboriginal and treaty rights

The Province is committed to the reconciliation of Aboriginal and treaty rights. Section 35 of the *Constitution Act, 1982* entrenches Aboriginal and treaty rights into the fabric of Canada. For more than 30 years, the courts have directed government to negotiate rather than litigate the resolution of these outstanding issues. Most recently, the *Haida* and *Taku River* decisions obligate the Province to consult with and, as appropriate, accommodate First Nations where government decisions or activities may adversely affect Aboriginal or treaty rights.

Objective 3.1: Conclude agreements that lead to the reconciliation of Aboriginal and treaty rights

While final treaty agreements are the Province's preferred means of reconciling Aboriginal rights and title with those of the Crown, other types of agreements can also contribute to reconciliation. For instance, a number of First Nations are discussing incremental agreements which will yield beneficial results in the short term which can be built on over time towards longer term final treaties. In addition, the Province has entered into consultation protocols with First Nations that already have treaties.

Strategies:

- Support agreements among First Nations, government and local governments.
- Lead and support the negotiation of agreements that contribute to reconciliation of Aboriginal and treaty rights.
- Negotiate treaties and incremental agreements that lead to treaty.
- Lead and support the implementation of treaties and other agreements.

Measure	Actual/ Baseline	2008/09 Target	2009/10 Target	2010/11 Target
Number of treaties and agreements that build incremental progress towards reconciliation.	9	10	13	17

Data Source: Ministry of Aboriginal Relations and Reconciliation and other ministries and Crown agencies as appropriate (i.e., includes treaty process agreements and non-treaty process agreements).

Objective 3.2: Increase Aboriginal people's access to economic opportunities

Providing more access to economic opportunities results in economic benefits for all British Columbians. Aboriginal participation in business ventures and resource development contributes to British Columbia's prosperity.

Strategies:

- Champion access to business venture and economic development opportunities through resource development agreements, benefit agreements and other strategic agreements.
- Facilitate access to training and skills development as well as support systems associated with economic development.
- Support employment initiatives in the private and public sectors.
- Support Aboriginal and First Nations access to land and resource tenures.

Measure	Actual/ Baseline	2008/09 Target	2009/10 Target	2010/11 Target
Agreements and initiatives that provide economic opportunities to Aboriginal people.	4	5	10	20

Data Source: Ministry of Aboriginal Relations and Reconciliation and other ministries and Crown agencies as appropriate (i.e., includes agreements that provide revenues, economic benefits and jobs to Aboriginal people).

Resource Summary

Core Business Areas	2007/08 Estimates[1]	2008/09 Plan	2009/10 Plan	2010/11 Plan
Operating Expenses ($000)				
Negotiations	36,071	41,908	30,000	30,101
Aboriginal Relations	11,893	11,893	12,124	12,124
Executive and Support Services	7,709	8,326	8,311	8,313
Total	**55,673**	**62,127**	**50,435**	**50,538**
Full-time Equivalents (Direct FTEs)				
Negotiations	112	107	100	100
Aboriginal Relations	27	27	27	27
Executive and Support Services	40	40	40	40
Total	**179**	**174**	**167**	**167**
Ministry Capital Expenditures (Consolidated Revenue Fund) ($000)				
Executive and Support Services	32	32	32	32
Total	**32**	**32**	**32**	**32**
Other Financing Transactions ($000)				
Disbursements				
Negotiations — Nisga'a Treaty Payments	1,089	1,761	1,761	1,761
Negotiations — Land Acquisition	5,300	2,700	0	0
Net Cash Source (Requirements)	(6,389)	(4,461)	(1,761)	(1,761)
Total Disbursements	**6,389**	**4,461**	**1,761**	**1,761**
Total Net Cash Source (Requirements)	**(6,389)**	**(4,461)**	**(1,761)**	**(1,761)**

[1] These amounts have been restated for comparative purposes only, in order to be consistent with the presentation of the 2008/09 *Estimates*.

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Appendix: Status Report on Treaty Negotiations

Number of First Nations involved in the BC treaty negotiations process:	112
Number of First Nations at Stage 6 (implementation planning):	6
Number of First Nations at Stage 5 (final agreement):	12
Number of First Nations at Stage 4 (agreement-in-principle):	86
Number of First Nations at Stage 3 (framework agreement):	3
Number of First Nations at Stage 2 (readiness):	5
Number of First Nations at Stage 1 (statement of intent):	0

The Office of the Auditor General has asked the Ministry to report more fully on treaty negotiations by including an overview of the issues and challenges it faces and the steps the Ministry has taken to overcome these barriers to success.

Ratification of treaties by the Tsawwassen First Nation and the five Maa-Nulth First Nations clearly demonstrates that the treaty process is working. Now that the Province has ratified these treaties the federal government has begun its formal ratification process. In anticipation of final ratification by all parties in 2008, implementation planning has begun.

The Province continues to negotiate treaties that reflect the diversity of First Nations. Over the next few years more Final Agreements will be concluded as well as significant progress on Agreements-in-Principle. To address concerns about slow progress, incremental treaty agreements and treaty related measures may be utilized by some First Nations, Canada and British Columbia to help pave the way towards treaty.

In response to concerns raised by First Nations and independent external reviews, the Principals have agreed to discuss ways to work towards greater efficiencies and revitalization of the treaty process. The Ministry also supports the BC Treaty Commission to use the full scope of its authority to support the treaty process. Additionally, the Ministry and Canada have taken steps to streamline internal approval processes to conclude treaties.

Under the treaty process, First Nations are responsible for resolving overlapping claims. At the same time, the Province has a duty to consult First Nations whose Aboriginal and treaty rights may be adversely impacted by treaties. Consequently, the Province supports consultation efforts to facilitate the expeditious resolution of overlap claims inside and outside of treaty. The Ministry is also working with the First Nation Leadership Council on a government-wide consultation framework.

Hyperlinks to Additional Information

New Relationship
www.gov.bc.ca/arr/newrelationship/down/new_relationship.pdf

Transformative Change Accord
www.gov.bc.ca/arr/social/down/transformative_change_accord.pdf

Métis Nation Relationship Accord
www.gov.bc.ca/arr/social/down/arr_metis_accord.pdf

BC Treaty Commission
www.bctreaty.net/index.php

First Peoples' Heritage, Language and Culture Council
www.fphlcc.ca/

New Relationship Trust
www.newrelationshiptrust.ca/